

(Acts adopted pursuant to Title V of the Treaty on European Union)

COMMON POSITION
of 30 October 1998
defined by the Council on the basis of Article J.2 of the Treaty on European Union, concerning Nigeria

(98/614/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article J.2 thereof,

Whereas the Council defined Common Position 95/515/CFSP on Nigeria ⁽¹⁾ on 20 November 1995 and Common Position 95/544/CFSP on Nigeria on 4 December 1995 ⁽²⁾;

Whereas Common Position 95/544/CFSP was extended until 1 November 1998 by Decision 97/821/CFSP ⁽³⁾;

Whereas the European Union attaches great importance to the relationship between the Union and Nigeria in recognition of the pivotal regional and international role of this country, especially its contribution to peace-keeping activities, e.g. in Liberia and Sierra Leone, which the Union continues to support;

Whereas the European Union is mindful of developments in the past, in particular in 1993, when free elections were annulled and a military government was installed, and notes that the situation in Nigeria is still unstable;

Whereas the European Union recalls its declaration of 18 September 1998 in which it warmly welcomed recent developments in Nigeria;

Whereas the European Union encourages the Administration under General Abubakar to continue to implement the transition programme and the commitment to hand over power to an accountable civilian government in May 1999 after free and fair elections;

Whereas the European Union welcomes the release of the political prisoners, while urging a swift clarification of remaining pending cases;

Whereas the European Union welcomes General Abubakar's commitment to economic reform, including policies aimed at poverty reduction, and his undertaking to re-

professionalise the armed forces and to ensure the military's return to barracks by 29 May 1999;

Whereas the European Union is prepared to strengthen a constructive political dialogue with Nigeria and will consider concrete measures to support the election process in Nigeria;

Whereas the measures adopted in 1995 should be modified in light of the current situation,

HAS DEFINED THIS COMMON POSITION:

Article 1

Common Position 95/515/CFSP is hereby repealed, subject to the provisions set out in Article 2 and in Article 3(2).

Article 2

The following measures referred to in part 3 of Common Position 95/515/CFSP shall continue to apply:

- (a) suspension of military cooperation;
- (b) cancellation of training courses for all Nigerian military personnel, except for non-combative courses to encourage respect for human rights and to prepare the military for the democratic control by a civilian government of the armed forces; and
- (c) an embargo on arms, munitions and military equipment which covers weapons designed to kill and their ammunition, weapon platforms, non-weapon platforms and ancillary equipment as well as spare parts, repairs, maintenance and transfer of military technology. Contracts entered into before the date of entry into force of Common Position 95/515/CFSP are not affected.

⁽¹⁾ OJ L 298, 11. 12. 1995, p. 1.

⁽²⁾ OJ L 309, 21. 12. 1995, p. 1.

⁽³⁾ OJ L 338, 9. 12. 1997, p. 8.

Article 3

1. A dialogue on development cooperation with Nigeria, including relevant studies and preparatory measures, may be resumed with the Nigerian authorities, with a view to re-engagement after the installation of a democratically elected civilian government.

2. In the meantime, development cooperation with Nigeria may continue only for actions in support of human rights and democracy, as well as those concentrating on poverty alleviation and, in particular, the provision of basic needs for the poorest section of the population, in the context of decentralised cooperation through local civilian authorities and non-governmental organisations.

Article 4

1. This Common Position shall be monitored by the Council, to which the Presidency and the Commission shall regularly report. It shall be reviewed no later than 1 June 1999 in the light of further developments in

Nigeria, in particular with regard to the establishment of a democratically elected civilian government.

2. Should there be any deterioration in the respect for human rights or the democratic processes in Nigeria, the Council shall immediately review this Common Position with a view to adopting additional measures.

Article 5

This Common Position shall take effect on 1 November 1998.

Article 6

This Common Position shall be published in the Official Journal.

Done at Brussels, 30 October 1998.

For the Council

The President

W. SCHÜSSEL
